

Michigan Department of Civil Service

# REGULATION

<b>Appointing Authority Letter Reference:</b>  CS-6940	<b>Effective Date:</b>  March 18, 2001	<b>Index Reference:</b>  Frozen, Position, Classification	<b>Regulation Number:</b>  <b>4.10</b>
<b>Issuing Bureau:</b>  Human Resource Services	<b>Rule Reference:</b> Rules 1-3 (Regulations), 4-1 (Position Establishment and Classification) 4-2 (Position Classification Review)		<b>Replaces:</b>  Reg. 4.10 (CS-6897, April 25, 1999)
<b>Subject:</b>  <b>FROZEN CLASSIFICATIONS AND POSITIONS</b>			

## Table of Contents

1.	Purpose.....	1
2.	Civil Service Commission Rule Reference.....	1
3.	Definitions .....	2
4.	Standards .....	3
5.	Procedure .....	4

## 1. **PURPOSE**

This regulation defines frozen position actions and establishes the standards, criteria, and procedures for such actions.

## 2. **CIVIL SERVICE COMMISSION RULE REFERENCE**

**Rule 1-3 Regulations** — *The state personnel director is authorized to issue regulations that the director deems to be necessary or useful. A regulation issued by the state personnel director is binding on the department of civil service, unless the commission finds the regulation violates a rule. The state personnel director shall make all regulations available to employees through their personnel offices and the internet.*

### **Rule 4-1 Position Establishment and Classification**

**4-1.1 Requirement** — *All positions must be established in the classified service unless where specifically exempted or excepted by article 11, section 5, of the constitution, or these rules.*

**4-1.2 Classification** — *A position established in the classified service must be reviewed to classify the position properly.*

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**4-1.4 Classification Plan** — *The commission shall authorize an official classification plan for all positions in the classified service. The department of civil service shall administer the official classification plan.*

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**Rule 4-2 Position Classification Review** — *The department of civil service shall provide for both a periodic and ongoing review of positions in the classified service to ensure positions continue to be properly classified.*

- (a) **Position review.** *An appointing authority shall give notice to the department of civil service of material changes in the duties and responsibilities that may impact the proper classification of a position. If the appointing authority does not notify the department of civil service of material changes, the employee occupying the position may initiate a position review by filing an updated position description and a written request with the department of civil service.*

\* \* \*

### 3. **DEFINITIONS**

#### A. **Definitions as Used in This Regulation**

1. **Frozen classifications** means classes that have been determined to be obsolete; e.g., Griffen-Hagen System classes, Benchmark System classes, and selected Equitable Classification Plan classes that have been deemed no longer viable. All positions in such classes are frozen. An “F” in the Human Resources Management Network (HRMN) designates the freeze action.
2. **Individual position freezes** means freeze actions on individual positions used to identify employees in specific positions with duties and responsibilities that are no longer proper for the current classification. The freeze prevents the appointing authority from

refilling the position until it has been reviewed and the proper classification has been determined. A freeze action is designated by an "F" in the HRMN.

#### **4. STANDARDS**

- A.** The Department of Civil Service shall not establish an improperly classified position.
- B.** Appointing authorities shall give notice to the Department of Civil Service of material changes in the duties and responsibilities that may impact the proper classification of a position such that it should be frozen.
- C.** When the Department of Civil Service issues a classification action to freeze a position, the proper classification must be identified on the Position Action Request form (CS-129).
- D.** The employee cannot appeal a freeze action.
- E.** A freeze on a position in a preauthorized class series (entry/trainee or intermediate level) precludes reclassification to any higher level in the class series for the current employee.
- F.** Freeze actions are employee and position-specific and are only transferable to another position when approved by the Department of Civil Service; e.g., the employee in the frozen position is assigned comparable or higher level work.
- G.** A vacant, frozen position must be reviewed and properly reclassified before an appointment can be made to the position.
- H.** An occupied frozen position can be reclassified to the proper classification, if there is no negative impact to the current employee's compensation or a violation of the civil service rules or regulations.
- I.** Frozen positions are not exempted from reduction-in-force (RIF) actions. A frozen position (both bargaining unit included and excluded) must be classified, after it has been vacated, in the proper classification for the application of employment preference in accordance with regulation 2.10, Implementing A Reduction In Force For Non-Exclusively Represented Employees.

## 5. PROCEDURE

### A. Placing a Freeze on a Position

<u>Responsibility</u>	<u>Action</u>
Department of Civil Service	<ol style="list-style-type: none"><li>1. Receives information that an employee in a position is no longer assigned duties and responsibilities commensurate with the classification.</li><li>2. Prepares a Position Action Request form (CS-129) to assign a unique position code and place a freeze F-code on the position, with an explanation and identification of the proper classification.</li><li>3. Enters the necessary position information in the Human Resources Management Network (HRMN).</li><li>4. Releases the Position Action Request form (CS-129).</li></ol>
Appointing Authority	<ol style="list-style-type: none"><li>5. Receives the Position Action Request form and verifies the information in the HRMN.</li><li>6. Informs agency/autonomous entity management and the employee.</li></ol>

## CONTACT

Questions regarding this regulation should be directed to the Department of Civil Service, P.O. Box 30002, 400 South Pine Street, Lansing, Michigan 48909, (517) 373-3048 or 1-800-788-1766, or [MDCS-BHRS@state.mi.us](mailto:MDCS-BHRS@state.mi.us).

**NOTE:** Regulations are issued by the State Personnel Director under authority granted in the State of Michigan *Constitution* and the *Michigan Civil Service Commission Rules*. Regulations that implement Commission Rules are subordinate to those Rules.